Serial No. 10/588,200

Amendment

Responsive to Office Action dated July 14, 2008

### **REMARKS**

#### **Pending Claims**

Claims 1-4 and 6-8 are pending. Claim 5 has been canceled without prejudice or disclaimer. Claims 1, 3, and 6 have been amended.

#### Claim Objections

Claims 1, 3, and 5 are objected to for informalities. Claims 1 and 3 have been amended to correct the informalities as suggested by the Examiner. Claim 5 has been canceled without prejudice or disclaimer.

## Claim Rejections Under 35 U.S.C. §103

Claims 1-3, 7, and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wada, JP 11-0210952 (Wada), in view of JP 7-35212 (JP'212). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Wada in view of JP 7-35212 as applied to claim 1-3, 7 and 8 above, and further in view of Nagata et al, JP 2001-055760.

The Examiner has indicated that claims 5 and 6 would be allowable if rewritten in independent form. Accordingly, applicants have amended claim 1 to include the limitations of claim 5. Each of dependent claims 2-4 and 6-8 depend from amended base claim 1.

Accordingly claims 2-4 and 6-8 should be allowed with claim 1.

Serial No. 10/588,200 H&C-5209

Amendment

Responsive to Office Action dated July 14, 2008

# Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

John/R. Mattingly

Registration No. 30,2 (703) 684-1120

Date: October 14, 2008